

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

AMY LEE SULLIVAN,

Plaintiff,

v.

FLORA, INC.,

Defendant.

ORDER

15-cv-298-wmc

The court held a final pretrial conference today during which the court heard argument on reserved motions and directed the parties to file supplemental briefing on certain issues. The purpose of this order is simply to formalize those rulings.

Accordingly, IT IS ORDERED that:

- 1) Plaintiff may have until end of day April 13, 2017, to submit a brief explaining why plaintiff Amy Sullivan's proposed testimony about digital files does not constitute expert testimony.
- 2) Defendant may have until end of day April 13, 2017, to respond to plaintiff's brief arguing that the copyrights at issue are properly described as "illustrations," not "illustration collections."
- 3) Plaintiff may have until end of day April 13, 2017, to respond to defendant's proposed, implied license instruction and/or a proposed modification of that instruction.
- 4) Defendant may have until end of day April 13, 2017, to submit a proposed derivative works instruction and to brief why it should be given.
- 5) The parties may have until April 14, 2017, at noon, to provide any further briefing on who has the burden of proving joint authorship.
- 6) The court will hear any additional evidence and consider argument on the piercing the corporate veil issue while the jury is deliberating on the phase I issues.
- 7) The court will reconsider plaintiff's motion in limine no. 1 and defendant's motion in limine no. 3 regarding Mager testifying as a liability expert.

- 8) The court will hold a telephonic hearing on Friday, April 14, 2017, at 2:00 p.m.
Plaintiff's counsel to initiate call to chambers at 608-264-5087.

Entered this 12th day of April, 2017.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge